

Commissioners

Arlene Shoemaker Dewey R. Stokes Mary Jo Kilroy

Leave Donation Program

Franklin County non-bargaining employees (hereinafter “employees”) within the jurisdiction of their respective Appointing Authority may donate paid leave to another employee who is otherwise eligible to accrue and use sick leave. The intent of the leave donation program is to allow employees to voluntarily provide assistance to co-workers who are in critical need of leave due to a serious illness or injury of that employee or a member of that employee's immediate family. For purposes of this Leave Donation Program only, immediate family is defined as an employee’s spouse, parent, child, stepchild, sibling, or person who stands in place of a parent (in loco parentis).

(A) An employee may receive donated leave upon submission and approval of a written request, supported by proper medical documentation, to his/her Appointing Authority, or depending on the circumstances, from an immediate family member or other person acceptable to the Appointing Authority. Upon receipt of the request for leave donation, the Appointing Authority, or designee, will review the request and either approve or disapprove the request after determining if the illness or injury qualifies as being a serious illness. In the case of the Board of Commissioners, the designee will be the Agency Director, assisted by the Director, Human Resources if needed. Prior to approving use of any donated leave, the Appointing Authority, or designee, will also review each applicant’s past record of sick leave usage. Any demonstrable past record of sick leave abuse shall result in the denial of the application. Upon approval by the Appointing Authority, or designee, the employee may receive the number of hours he or she is scheduled to work for each pay period or as provided in paragraph (A)(4) of this policy, up to the number of hours specified by the Appointing Authority, or designee, not to exceed 2080 hours (one work year’s) total, if the employee who is to receive donated leave:

- (1) Or a member of the employee's immediate family, as defined above, has a serious illness or injury (a serious illness or injury is one that is life threatening, generally requires surgery with a prolonged recovery period, or involves multiple traumatic injuries, or serious mental illness. Examples include heart attack, certain cancer conditions, organ transplants);
- (2) Has no accrued leave;
- (3) Has not been approved to receive other state/county paid wage related benefits; and
- (4) Has applied for any paid leave, workers' compensation, or benefits program for which the employee is eligible. An employee who has applied for these programs may use donated leave to satisfy the waiting period for such benefits, when applicable. After the waiting period, donated leave may be used up to an amount equal to the benefit for which the employee applied, (e.g., seventy (70) per cent for disability leave benefits) while the employee's application is pending approval. However, once the benefit is approved, donated leave may not be used to supplement the disability benefit.

(B) Employees may donate leave if the donating employee:

- (1) Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned;
- (2) Donates a minimum of eight (8) hours; and

(3) Retains a sick leave balance of at least eighty (80) hours. Leave shall be donated in the same manner in which it would otherwise be used. (e.g. An employee must maintain a minimum of eighty (80) hours sick leave balance to donate under this program. If a leave donation would result in the donating employee's sick leave balance falling below eighty (80) hours, then the donating employee must donate other types of paid leave such as vacation or paid personal leave.)

(4) Remains an active employee during the pay period leave is donated (i.e. an employee may not receive donated leave from an employee who is no longer an active county employee).

(C) The leave donation program shall be administered on a pay period by pay period basis. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Donated leave shall not count toward the probationary period of an employee who receives donated leave during his or her probationary period. Donated leave shall be considered sick leave, but shall never be converted into a cash benefit.

(D) Employees who wish to donate leave shall certify in writing on the Donor Application form:

- (1) The name of the employee for whom the donated leave is intended;
- (2) The types of leave and number of hours to be donated from each type of leave donated;
- (3) That the employee will have a minimum sick leave balance of at least eighty (80) hours; and
- (4) That the leave is donated voluntarily and the employee understands that the donated leave will not be returned.

(E) An employee using the program shall return to work as soon as the medical condition necessitating the use allows his or her return to work. Failure to do so shall cause the leave donations to cease.

(F) At no time may unused donated leave be converted to a cash benefit nor be used under the County's Wellness Incentive Program. No employee shall donate any leave time for any monetary or other consideration whatsoever.

(G) No employee will be forced to donate leave. The donation of leave shall occur on a strictly voluntary basis. The employee's right to privacy shall be respected. However, with the permission of the employee who is in need of leave or a member of the employee's immediate family, if applicable, the Appointing Authority, or their designee, may inform employees of their co-worker's critical need for leave.

(H) Donated leave shall be computed based on the relationship of the Donor's rate of pay and the Donee's rate of pay. For example, if Employee A donates leave to Employee B, and Employee A makes half the salary of

Employee B, the amount of Donated Leave shall be adjusted accordingly. Adjustments will be rounded upward to the next whole hour of leave donated.

Donor's Hourly Rate

Donee's Hourly Rate X # Hours Donated = Equivalent Hours to be Received by Donee

Examples:

\$16 (Donor's Hourly Rate)

\$12 (Donee's Hourly Rate) X 8 Hours Donated = 10 2/3 Hours (11 hours rounded upward) received by Donee

\$12 (Donor's Hourly Rate)

\$16 (Donee's Hourly Rate) X 8 Hours Donated = 6 Hours received by Donee

(I) Any collective bargaining agreement containing a leave donation program may allow its members the option of donating and receiving leave to or from a member or members of any other collective bargaining unit within the same appointing authority. Any collective bargaining agreement containing a leave donation program may allow its members the option of donating and receiving leave to or from non-bargaining employees of the same appointing authority.

To the extent a donation is from a bargaining unit to a non-bargaining unit member or from a non-bargaining unit member to a member of a bargaining unit, the provisions of the donee's program shall apply.

Effective Date: March 16, 2004